

FORM SUMMARY

Name of Form: Order of Commitment for Treatment (Incompetency)

Form Number CR-206

Statutory Reference: §971.14(5), Wisconsin Statutes

Benchbook Reference: CR 12

Purpose of Form: To order defendant committed to the DHS for treatment of incompetency.

Who Completes It: The court.

Who Signs It: **BY THE COURT:** Circuit Court Judge

Distribution of Form: Original to file; copies to district attorney, defense attorney, DHS, sheriff. A copy of complaint should also be sent to the examiners.

Accompanying Forms: Most recent criminal complaint and examiner's report.

New Form/Modification: Modified; last update 12/24.

Modifications: Removed section regarding Involuntary administration of medication – Dangerousness, per *State vs. N.K.B.*, 2024 WI App 63, (petition for review pending). Added reference to bail and bond conditions in the order section, per *State v. J.D.B.*, 2024 WI App 61 (petition for review pending).

Comments: The findings in paragraph 3 are required under *Sell v United States*, 539 U.S. 166 (2003), *State v Fitzgerald*, 2019 WI 69, and §§971.14(3)(dm) and (4)(b), Wis. Stats., as clarified by *State v. Green*, 2021 WI App 18.

About this Form: This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.